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By:



Loren Donald Pearson

Date: July 16, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirm No. : 2926  
Appl. No. : 09/619,973  
Applicants : Armin Pitzer et al.  
Filed : July 20, 2000  
Art Unit : 2634  
Examiner : Eva Y. Zheng  
Title : Digitally Controlled Circuit for Reducing  
the Phase Modulation of a Signal  
Docket No. : GR 98 P 1048 P  
Customer No. : 24131

R E S P O N S E

Mail Stop No-Fee Response  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner Zheng:

The following remarks respond to the Office action dated April  
16, 2004.

Reconsideration of the application is requested. Claims 1-9  
remain in the application.

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Amendment Dated July 16, 2004

Reply to Office Action of April 16, 2004

In item 3 of the Office action, the Examiner rejected claim 1 as being fully anticipated by Dent (U.S. 5,834,987) under 35 U.S.C. § 102(e). As will be explained below, the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, a brief review of the invention as claimed is provided. Claim 1 calls for, *inter alia*, a digitally controlled circuit having the following features:

a multiphase clock generator producing n phases of a clock being m-times the given signal;

a multiplexer connected to said multiphase clock generator and having n inputs for receiving the n phases of the clock, said multiplexer having one output supplying an output signal;

a phase comparator having inputs receiving the output signal of said multiplexer and the given signal, and generating a compared output signal; and

a sigma-delta modulator connected to said phase comparator and receiving said compared output signal, said sigma-delta modulator generating correction commands used for controlling said multiplexer. (Emphasis added by Applicants.)

Dent discloses a voltage controlled oscillator (VCO) (104).

The task of a VCO is to generate an output clock signal that is derived from an input voltage signal. A VCO is not designed to create a multi-phase output clock signal.

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Therefore, a VCO may principally not be compared with a multi-phase generator.

Dent does not teach a clock generator producing  $n$  phases of a clock that are  $m$ -times the given signal. In contrast, claim 1 of the instant application explicitly describes, "a multiphase clock generator producing  $n$  phases of a clock being  $m$ -times the given signal."

Dent teaches a sigma-delta-modulator. However, this sigma-delta-modulator is not connected via its input terminals with the output terminals of the phase comparator in such a way that the compared output signal produced by the phase comparator (100) is supplied to the sigma-delta-modulator. In Dent, the input terminals of the sigma-delta-modulator (107) are connected with the output terminals of the multiplexer and with the voltage controlled oscillator (104). The sigma-delta-modulator (107) generates control signals for controlling the block (105) and the divider block (106). According to the wording of the present claim 1, "a phase comparator ... generat[es] a compared output signal; and a sigma-delta modulator ... receiv[es] said compared output signal." Therefore, this feature is neither taught nor suggested by Dent.

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Accordingly, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Therefore, claim 1 is patentable over the art. And, because all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 5 of the Office action, the Examiner allowed claims 2-9.

In view of the foregoing, reconsideration and allowance of claims 1-9 are solicited. In the event the Examiner should still find any of the claims to be unpatentable, please telephone counsel so that patentable language can be substituted.

If an extension of time for this paper is required, petition for extension is herewith made.

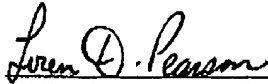
Appl. No. 09/819,983

Amendment Dated July 16, 2004

Reply to Office Action of April 16, 2004

Please charge any other fees that might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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